

# Meeting

# Region 5 Citizen Advisory Council Meeting

02/04/2009

5:30 PM to 9:30 PM

Fish, Wildlife & Parks

2300 Lake Elmo Drive

Billings, MT 59105

**Meeting called by:** Gary Hammond  
**Type of meeting:** Citizen Advisory Council Meeting  
**Facilitator:** Bob Gibson  
**Note taker:** Dianne Stiff

**Attendees:** David Charles, Douglas Dreeszen, Daniel Dutton, Doug Haacke, Shawn Todd, Mike Whittington, Bob Willems, Dale Vermillion, Jed Evjene, Gary Hammond, Doug Habermann, Harold Guse, Dianne Stiff, Ken Frazer, Ray Mule', Bob Gibson, Ron Aasheim, Quentin Kujala, Dale Nixdorf

**Absent:** Daniel Aadland, Greg Keller

## Agenda topics

5:30-6:30 p.m.	Welcome, Dinner & Conversation	Gary Hammond
6:30-7:00 p.m.	Issues of Concern	CAC Members
7:00-8:00 p.m.	Legislation Update	Ron Aasheim
8:00-8:15 p.m.	Pictograph Caves State Park Update	Doug Habermann
8:15-9:00 p.m.	Discussion of Elk Adaptations to Harboring	Quentin Kujala
9:00-9:15 p.m.	Administrative Housekeeping and Adjourn	Bob Gibson

Welcome, Dinner & Conversation

Gary Hammond

## Discussion:

David Charles – Bow hunters who I know were very pleased with what Fish, Wildlife and Parks did last year. Hoping proposed legislation would not go anywhere, which is to reverse what is in place. Bird hunters who I know liked block management availability around here and wished there were more of them locally. A lot of people are concerned about access, specifically the Crazy Mountain area with the inability to get to some of the ground because of private holdings.

Mike Whittington – He brought gate openers for Greg Keller and Dan Dutton. The Billings Rod and Gun Club purchases a bunch of those every year, then encourages its members to give to local landowners as a thank you for allowing access for hunting or fishing. Information from the Montana Wildlife Federation – representative Kendall Van Dyke is scheduling a House Fish, Wildlife and Parks Committee hearing on February 17, 2009, on HB 314, which is the anti-harboring of big game damage litigation act. If you have a position on that, it's time to get a hold of your representatives and let them know where you stand.

Douglas Dreeszen – The elk archery licenses issue, and what is going on in Helena with legislation. The avid big game hunters that I've been in contact with are really happy with the Fish, Wildlife and Parks and the Commission stepping forward with the draw system. It is now more equitable between bow and rifle hunters allowing for the drawing of a permit somewhere. There have been some articles in the newspaper written by Mark Henckel regarding the legislature trying to do away with this. The folks that I talk to are quite upset that this would even be considered especially since the Fish and Game Commission went ahead and made a really good decision based on a lot of testimony and letters from sportsmen in this area and I'm sure across eastern and central Montana. People I have contact with hope they leave it as it is and move forward with the equity between bow and rifle hunters. The system set up as it is right now is a good program, and we sure would like to see it stay that way.

Daniel Dutton – Anglers in our area are interested in the bridge access and seeing that gets resolved. I had a couple of people who tried to get a landowner sponsor through me and two of our neighbors. We're disappointed with how it's set up with the acreage limits. It's 640 acres and then they recycle back through the 640 acre people, so if you have less land than that, you are kind of shut out. Although, they do usually allow you to pick two hunters to come in anyway. That affects mostly the out of state hunters. For block management we had another good year. This year the people who came into our place would phone ahead and get reservations. They all had success especially people bringing the young kids for the first time hunt. We've got some people coming out later this winter to do some rabbit hunting. That's not a part of block management, but it gets the kids into hunting and that's important.

Dale Vermillion – People I've heard from on the elk hunting, a couple of long time ranchers up in the Roundup area, were very upset with the elk archery changes. They said they were losing a lot of money and they would be allowing public hunting if Fish, Wildlife and Parks wasn't going to do this. I certainly have been hearing from the other side. One of the other concerns I hear is the urban deer problem in Billings. This is a problem that is coming and I hope what they are doing up in Helena provides a good map for taking care of the problem. He'd like to have the aquatic nuisance presentation at the next meeting. In our area, the oil and gas leasing in Sweet Grass County is kind of scary partly because we don't own the mineral rights. I would love to see the state put some limitations on not just state lands, but what you can do within a certain distance of rivers, streams and wetlands. I think the water quality is really going to be effected by all this.

Jed Evjene – There is a concern in Sweet Grass county with the oil and gas drilling. A lot of concerns in our area of Melville and Two Dot are with the brucellosis action plan. Ranchers still don't understand and need clarification on Fish, Wildlife and Parks wanting to take over the management of brucellosis issue and taking it away from the Department of Livestock. Most people in his area feel that the Parks Service needs to take care of the brucellosis in the buffalo first. The wolf issue is circulating in our area, and feels it's tied directly with the elk. I was at an action meeting last week in Big Timber, and some of the people do not think the wolf is pushing around the elk, but I disagree with that.

Doug Haacke – My interest primarily being in the angling, I was surprised to hear about SB 162, from anglers as well as hunters, that there is some real fear out there that it is meeting with some success. We sure don't want to see the Commission lose its authority.

Shawn Todd – The Roundup elk herd is growing and are hanging along the highway now.

Bob Willems – In our area the numbers of deer and antelope were down for some reason. We had fewer hunters and the success ratio was down. Part of the problem is because most of his neighbors are in fee hunting. I hear a number

of people say that a landowner that does not allow elk hunting on his place isn't entitled to a free elk tag. We would have liked to see an extended season to do a better job on managing the numbers. With state lands access, I've often wondered why a person wouldn't have to get permission to hunt from the leaser.

Action items: Aquatic Nuisance Presentation	Person responsible: Bob Gibson	Deadline: 05/12/09
Action Items: Next CAC meeting legislative session outcome.	Person responsible: Bob Gibson	Deadline: 5/12/09

**Pictograph Caves State Park Update** Doug Habermann

Discussion:

Doug gave an update on the visitor center showing pictures of the construction with an explanation of interpretation plans.

We have a request for a position (FTE) to manage the park and FTE for fishing access sites, but the FTE have been completely removed from HB 2, which is the appropriations bill. Local support of these positions is extremely important for the maintenance of not only this state park, but our fishing access sites too.

This state park currently receives about 40,000 visitors within our 4 to 5 month season. This park is anticipated to be open year around in the future if we are able to secure a position through HB 2.

Parks has four major funding sources. Coal tax, interest from the trust fund, bed tax, motorboat fees and the license plate check off. Of the \$4.00 from the license plate \$3.50 goes to state parks, \$.25 to fishing access sites and \$.25 to Virginia City.

There was discussion of onsite public meetings on newly acquired properties.

Action items: Hold a future CAC Meeting at the new Visitor Center.	Person responsible: Bob Gibson	Deadline: This Fall
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**Legislation Update** Ron Aasheim

Discussion: FWP is following this list of bills closely this session. The tracking summaries are located on the website, fwp.mt.gov.

HB 79 – Stahl – Creates uniform provisions for state land transactions and provides that land purchases may not, to the extent that is practical, result in a net gain in land ownership by the state.

HB 137 – McNutt – Public Land/Private Wildlife Bill – Revises license benefits for landowners enrolled in the hunter management program, allows employees of landowners to receive the free big game combination license allocated to landowners. Deletes the requirement that the cost of the free license received by a landowner is deducted from compensation paid.

HB 190 – Van Dyke (chairman of the House FWP committee) – This passed house 97 to 3. Revises laws related to stream access from county roads and bridges and provides criteria for fencing for livestock control purposes.

HB 249 – Van Dyke – Provides that conservation easements that are granted in perpetuity are taxable class or property and that those easements granted in perpetuity are taxable even if owned by the state, local governments or other public and private entities.

HB 253 – Phillips – Recognizes bison as a valued native species, gives management authority to FWP, directs FWP to work with the Dept. of Livestock to protect private property.

HB 314 – Van Dyke – (Harboring Legislation) Provides methods for FWP to direct the dispersal or removal of concentrations of big game animals that pose a threat to landowners and livestock or the health of wildlife, habitat or the public. Provides penalties for concentrating big game animals and creates an advisory board.

HB 382 – Hamilton – Creates a resident apprentice hunting certificate which allows youngsters of any age to hunt with a mentor that meets certain requirements, exempts those youngsters from the requirement to complete a hunters safety education course assuming they are hunting in the presence of a mentor.

There were four bills that had to do with Ft. Peck Hatchery funding. Basically what they did was maintain the status quo, which means the warm water fish stamp would fund Ft. Peck Hatchery operations with some federal assistance. All these bills were tabled. The next bill that will come out will suggest adding money to the general fishing license.

SB 162 – Barrett – Restricts FWP Commission from limiting hunting permits allocated for certain species from the number issued in 2007 unless the harvest exceeds 30% of the total licenses issued for that district.

SB 164 – Barrett – Requires prior to purchasing any land where noxious weeds are present, the development of a noxious weed management plan. Requires that any acquisition of land or water rights much include an additional 40% above the purchase price to be used for maintenance of the land or water.

SB 183 – Balyeat – Revises the states wolf policy, asserts states rights and challenges federal authority, voids the Montana wolf conservation and management plan and the states cooperative wolf management agreement. Establishes conditions for future management plans and agreements specific to the wolf. Establishes liability and penalties for injury or death of a human because of a wolf attack.

SB 202 – G. Hinkle – Prohibits knowingly attracting any ungulates, bears or mountain lions with supplemental feed.

SB 217 – Barrett – Requires FWP to reimburse livestock producers who are required to test livestock for diseases that may be transmitted by game animals during periods when game animal populations objectives are not met.

SB 314 – Laible – Defines natural and natural water bodies for purposes of the stream access law.

HB 172 – Arntzen – Provisional hunter safety certificate for persons with disabilities.

HB 558 – McChesney – Revises laws that enhance free public access to private lands for hunting and establish a community access partnership and account. Increases annual landowner payments from the hunting access enhancement program.

Action Items: Next CAC meeting legislative session outcome.	Person responsible: Bob Gibson	Deadline: 5/12/09
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Discussion of Elk Adaptations to Harboring Quentin Kujala

Discussion: Greater Yellowstone Area Elk Movements: Brucellosis and Hunter Access

This presentation was prompted by a request from the Department of Livestock early last summer. They asked what does FWP know about elk distribution in the greater Yellowstone area? This was in context with them being on the front edge of their developing the brucellosis action plan. This was to include the seropositive findings that the Department has found to date. In response to that request the Department looked through and reviewed research efforts, survey efforts and that included an ongoing research effort that has a primary focus on the wolf ungulate question. Ken Hamlin was the lead researcher who is now recently retired and Julie Cunningham, Ken’s assistant, put together this presentation.

The brucellosis risk - consequence and probability, cost of vaccination, market value of cattle, loss of cattle industry and state economy is probably related to the cattle piece, and there’s also the probability related to the elk piece with elk density, elk seroprevalence, timing of elk use, thinking about risk during the last trimester of pregnancy, and elk movements.

The general herd range in the greater Yellowstone area in Montana shows a seven county area. There is a polygon of elk movement. The elk wintering in the Paradise Valley can have a summer presence as far south as south of Yellowstone Lake putting them in proximity and overlapping summer range with some of the elk from the Wyoming feeding grounds. That’s not to say when the risk is the greatest. This illustrates what elk have the ability to do from a movement standpoint. Research in the Gravelles indicates that elk have an immigration rate of about 3%.

Late this month (February) about 40-45 elk will be collared in the mid-Paradise Valley. The 2008 effort to look at blood samples from hunter-killed elk is an expanded effort from what we’ve done in the recent past.

The endemic area is where seropositive elk have been identified. Those are areas adjacent to Yellowstone National Park. Seropositive speaks to the antigen presence in bloodstream saying that the elk at some point in the past has been exposed to brucella. We do handle elk across the state of Montana. We try to take blood samples whenever we trap an animal for a research purpose or other reasons. To date the only elk we have found seropositive are in the greater Yellowstone area. To be clear, the greater Yellowstone area is the only place we've had that scale of look with stepped up monitoring.

Over objectiveness and under objectiveness – you see in southwest Montana a range of those whether it's districts that are over, under or at objective, but that's a pattern that occurs across the state.

The Wyoming feed grounds have a higher seroprevalence than we see in Montana elk. The elk on the Shoshone and Sunlight Basin has recent information out on the seroprevalence on these elk. It's not clear if that seroprevalence speaks to the certainty of the exposure or not. There are series of tests and the brucella test is designed for livestock obviously. There's some cross reactivity potential with wildlife, so it actually takes a couple of tests to confirm a positive and that takes two or three months. Not sure if the seroprevalence rate in the Shoshone National Forest represents that initial hit requiring additional testing or if it represents the final testing.

The Madison Valley – 43 cow elk were marked with GPS collars in 2005 and 2006, project completed 2007. This research project is soon to be available for review. Its primary focus is wolf/ungulate relationships.

The question being are wolves driving elk to new places? The research that's been conducted in Montana to date, identifies human activity to be a more significant mover of elk than wolves. Wolves do influence elk distribution, it's just not at a seasonal range adjustment scale. Some things that support that are summer range distribution that hasn't changed. Wolves have come on the landscape, and the summer range of the distribution of elk has not changed. Ecologically that makes sense as the two species evolve together.

Action items: Interest in showing this presentation let Gary know.	Person responsible: Gary Hammond	Deadline: Anytime
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Administrative Housekeeping and Adjourn		Bob Gibson
Discussion: Next meeting date – May 12, 2009 (Tuesday) Eileen Ryce and poll folks for other topics.		
Action items: Eileen Ryce, Aquatic Nuisance Presentation; Look at CAC member term limits within the next month.	Person responsible: Bob Gibson	Deadline: End of April